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February 26, 2025

By ECF

Honorable Lois Bloom
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY, 11201

Re: Tony Harrison v. Correctional Officer Hodge et al.,
96-CV-1465 (PKC) (LB)

Your Honor:

I am a Senior Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney representing the City, Sanchez, Kennedy, and Mulhall in the above-referenced matter. I write on behalf of the City of New York to respectfully request an extension of time from March 3, 2025 until March 20, 2025, the date of the next scheduled status conference, to fully respond to the *Valentin* Order by providing a name and service address for the individual defendant Plaintiff identifies as “Steward” in his Second Amended Complaint. (ECF No. 46). Assistant Corporation Counsel Jack McLaughlin has spoken with Plaintiff regarding this request, and he consents to this extension.

Pursuant to the Court’s *Valentin* Order, the City has already provided the last known address for Correction Officer (“CO”) Hodge, and the Court has directed that summons be issued for CO Hodge. (ECF No. 73). This is the City’s fourth request for an extension to respond to the *Valentin* Order with respect to CO Steward. (*See* ECF Nos. 55, 57, 72).

Since the Court’s initial *Valentin* Order dated September 25, 2024 (ECF No. 54), and as detailed in our January 29, 2025 status report (ECF No. 72), this Office has undertaken significant efforts to determine the identity of “Steward.” The Court granted our most recent extension request on January 30, 2025, setting the current deadline of March 3, 2025. (ECF No. 73). A status conference was held on February 11, 2025, at which time the Court directed this Office to continue its efforts to identify CO Steward and to provide a response to the *Valentin* Order by the current deadline of March 3, 2025. (ECF No. 76). The Court has scheduled the next status conference for March 20, 2025. (*Id.*).

Despite ongoing prison strikes at Sing Sing and elsewhere in the state making communication with incarcerated individuals difficult, this Office was finally able to arrange a legal call with Mr. Harrison for February 25, 2025. During that call we discussed our progress with Mr. Harrison and received some additional details about Officer Steward.

Because Mr. Harrison's original complaint identified "Correctional Officer Hodge, #11923" with a parenthetical that said "(C-95)", and "Correctional Officer Steward" with a parenthetical that said "(Kings County Hospital)", this Office believed that the John Doe might be a Hospital Peace Officer. This Office continues to make diligent efforts to obtain records from H+H that would identify this individual. However, Mr. Harrison stated at our most recent conference that he was confident that Steward was a correctional officer. During the most recent legal call, Mr. Harrison repeated that assertion, while providing additional physical details about CO Steward and noting that he was CO Hodge's partner. Additionally, Mr. Harrison stated that Hodge and Steward worked under Captain O'Reilly, who also evidently accepted service for CO Steward on June 5, 1996. (*See* ECF No. 6 at p. 3). This Office has determined the likely identity of this Captain O'Reilly, but have been unable, as yet, to ascertain whether he is still alive or obtain contact information.

This office now has a full list now of all black male Correctional Officers employed by DOC in 1996 named Steward, Stuart, Stewart, or Steuart. Through ongoing work with DOC this office has been able forward this list to DOC's Human Resources division, who should be able to determine whether any of the relevant individuals were assigned to C-95 (Rikers' Island's Anna M. Kross Center, or "AMKC") or the Brooklyn House of Detention ("BKHD") on or around the date of incident.¹

Communications with DCAS were able to provide us some corroborating information on officers from DOC, but unfortunately DCAS does not have access to H+H records. This Office requested from DCAS the names of any employee with the name Steward who was working for the City during the relevant timeframe, but so far have only received Correctional Officers. This Office continues to communicate with H+H regarding their records but has not yet identified any hospital employees who fit the description of CO Steward.

This Office respectfully requests this extension to continue its efforts to properly identify Correctional Officer Steward and fulfill our obligations under the Court's *Valentin* Order. Given our recent communication with Mr. Harrison and the additional information we have obtained, we are hopeful that with the further time requested, we will be able to determine the identity and service address of Officer Steward by the next scheduled conference on March 20, 2025.

The Defendants thank the Court for its time and consideration to this matter.

Respectfully submitted,

Joseph Zangrilli /s/
Joseph Zangrilli

¹ Plaintiff insists that CO Steward was assigned to C-95, and this Office has no reason to doubt that recollection. Nevertheless, in the interest of conducting the broadest possible search, the undersigned continues to investigate COs assigned to BKHD, as Plaintiff was held there at several points during the same timeframe.

Cc: **By First Class Mail**
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